

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

	No. 05 10416 MEL
MUSKET RESEARCH ASSOCIATES, INC.,	)
	)
Plaintiff,	)
	)
v.	)
	)
OVION, INC., WILLIAM S. TREMULIS,	)
and JEFFREY P. CALLISTER,	)
	)
Defendants.	)
	)
OVION, INC.,	)
	)
Counterclaimant,	)
	)
v.	)
	)
MUSKET RESEARCH ASSOCIATES, INC.,	)
DAVID B. MUSKET, and	)
SUE ANN LATTERMANN,	)
	)
Counterdefendants.	)
	)

**SUE ANN LATTERMANN'S  
CERTIFICATION UNDER LOCAL RULE 16.1(D)(3)**

Counterdefendant Sue Ann Latterman and the undersigned counsel hereby certify that they have conferred (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and (b) to consider the resolution

of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Sue Ann Latterman  
SUE ANN LATTERMAN

S. A. A.

Brooks A. Ames (BBO #641192)  
One International Place, 21st Floor  
Boston, MA 02110-2600  
(617) 406-6045 (*telephone*)  
(617) 406-6145 (*fax*)

Arthur S. Beeman (admitted pro hac vice)  
Pamela K. Fulmer (admitted pro hac vice)  
DLA PIPER RUDNICK GRAY CARY US LLP  
153 Townsend Street, Suite 800  
San Francisco, CA 94107  
(415) 836-2541 (*telephone*)  
(415) 836-2501 (*fax*)

August 25, 2005